

### REMARKS

This Amendment responds to the Office Action dated April 4, 2006 in which the Examiner rejected claims 1-3, 7-9 and 13 under 35 U.S.C. §102(e) and rejected claims 4-6 and 10-12 under 35 U.S.C. §103.

Applicant respectfully requests the Examiner acknowledge the priority document filed November 30, 2001.

As indicated above, a typographical error in the specification has been corrected. Applicant respectfully requests the Examiner approves the correction.

As indicated above, claims 8 and 13 has been amended for typographical errors. The amendments are unrelated to a statutory requirement for patentability and do not narrow the literal scope of the claims.

Claims 1 and 13 claim an image forming apparatus and claim 8 claims an image processing method. The image apparatus and method include determining whether a target pixel belongs to a dot area based on a dot characteristic point extraction result.

Through the structure and method of the claimed invention determining whether a target pixel belongs to a dot area based on a dot characteristic point extraction result as claimed in claims 1, 8 and 13, the claimed invention provides an image processing apparatus and method which can prevent a moiré phenomena from occurring when the image data in a dot area is converted into an N-level image data. The prior art does not show, teach or suggest the invention as claimed in claims 1, 8 and 13.

Claims 1-3, 7-9 and 13 were rejected under 35 U.S.C. §102(e) as being anticipated by *Suzuki et al.* (U.S. Patent 6,608,941).

Applicant respectfully traverses the Examiner's rejection of the claims under 35 U.S.C. §102(e). The claims have been reviewed in light of the Office Action, and for reasons which will be set forth below, Applicant respectfully requests the Examiner withdraws the rejection to the claims and allows the claims to issue.

*Suzuki et al.* appears to disclose in Figure 12 an area separating unit 83 which carries out an area separating process capable of separating an image indicated by image data into a characteristic area, a halftone dot area and a photographic area based on image data which has been density-reversed. Additionally, *Suzuki et al.* discloses a resolution converting unit 85 which carries out a pixel interpolation processing operation related to an image enlarging/reducing process (column 34, lines 17-21, 63-66).

Applicant respectfully traverses the Examiner's characterization of *Suzuki et al.* The Examiner characterizes the separating unit 83 as a dot area identifying device. However, the area separating unit 83 does not receive an input from the resolution converting unit 85 which the Examiner says is analogous to a dot characteristic point extracting device. Thus, nothing in *Suzuki et al.* shows, teaches or suggests a dot area identifying device that determines whether a target pixel belongs to a dot area based on the results of the extraction carried out by the dot characteristic point extracting device as claimed in claims 1, 8 and 13. Rather, the output from the resolution converting unit 85 of *Suzuki et al.* is input to a halftone processing unit 47 and is not input to the area separating unit 83 so that the area separating unit 83 cannot base its result based upon the output from the resolution converting unit 85 as suggested by the Examiner.

Additionally, resolution converting unit 85 of *Suzuki et al.* is used to match resolution between the scanning apparatus 33 and the laser scanning unit 36 (column 21, line 58 through column 22, line 3) and carries out an interpolation process related to image enlarging/reducing process (column 34, lines 63-66). Thus, nothing in *Suzuki et al.* shows, teaches or suggests a dot characteristic point extracting device that extracts dot characteristic points from image data as claimed in claims 1, 8 and 13. Rather, the resolution converting unit of *Suzuki et al.* matches resolution of image data between that of the scanning apparatus 33 and the laser scanning unit (LSU 36).

Since nothing in *Suzuki et al.* shows, teaches or suggests a) a dot area identifying device determining whether a pixel belongs to a dot area based upon the results of the extraction carried out by the dot characteristic point extracting device and b) a dot characteristic point extracting device that extracts dot characteristic points from image data as claimed in claims 1, 8 and 13, Applicant respectfully requests the Examiner withdraws the rejection to claims 1, 8 and 13 under 35 U.S.C. §102(e).

Claims 2-3, 7 and 9 depend from claims 1 and 8 and recite additional features. Applicant respectfully submits that claims 2-3, 7 and 9 would not have been anticipated by *Suzuki et al.* within the meaning of 35 U.S.C. §102(e) at least for the reasons as set forth above. Therefore, Applicant respectfully requests the Examiner withdraws the rejection to claims 2-3, 7 and 9 under 35 U.S.C. §102(e).

Claims 4-6 and 10-12 were rejected under 35 U.S.C. §103 as being unpatentable over *Suzuki et al.* in view of *Ohta* (U.S. Patent 6,341,019).

Applicant respectfully traverses the Examiner's rejection of the claims under 35 U.S.C. §103. The claims have been reviewed in light of the Office Action, and for reasons which will be set forth below, Applicant respectfully requests the Examiner withdraws the rejection to the claims and allows the claims to issue.

As discussed above, since nothing in *Suzuki et al.* shows, teaches or suggests the primary features as claimed in claims 1 and 8, Applicant respectfully submits that the combination of the primary reference with the secondary reference to *Ohta* will not overcome the deficiencies of the primary reference. Therefore, Applicant respectfully requests the Examiner withdraws the rejection to claims 4-6 and 10-12 under 35 U.S.C. §103.

The prior art of record, which is not relied upon, is acknowledged. The reference taken singularly or in combination does not anticipate or make obvious the claimed invention.

Thus it now appears that the application is in condition for reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested.

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the Applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

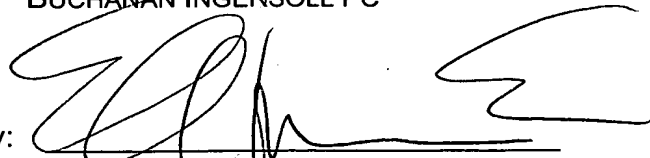
In the event that this paper is not timely filed within the currently set shortened statutory period, Applicant respectfully petitions for an appropriate extension of time. The fees for such extension of time may be charged to Deposit Account No. 02-4800.

In the event that any additional fees are due with this paper, please charge  
our Deposit Account No. 02-4800.

Respectfully submitted,

BUCHANAN INGERSOLL PC

By:

A handwritten signature in black ink, appearing to read 'EMAS', written over a horizontal line.

Ellen Marcie Emas  
Registration No. 32131

Date: June 26, 2006

P.O. Box 1404  
Alexandria, VA 22313-1404  
703.836.6620